

# State officials to tour Kin-Buc

By CHRIS PECK

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ARK — An entourage of lawyers and engineers was expected to make its way across a 100-foot-high mound of garbage today in its on-site inspection of the Kin-Buc Inc. landfill in Edison.

The inspection was suggested by Theodor Schwartz, Kin-Buc's attorney, who is going to persuade the group to allow Kin-Buc six months to cease operations at the landfill.

A six-month plan was offered as a settlement by Schwartz yesterday at a joint hearing called by the N.J. Department of Environmental Protection (DEP) and the Public Utilities Commission (PUC). The DEP is attempting to revoke Kin-Buc's license for alleged environmental violations. The hearings are being conducted at

the PUC offices in Newark.

Attorneys representing the DEP, PUC, Department of Public Advocacy, Middlesex County, Edison Township and Isaac Heller (a contractor suing Kin-Buc over the alleged violations) did not accept Schwartz's plan but did accept his invitation for the inspection. Joining them in the inspection will be Harold B. Kaplan, the hearing examiner with the Board of Public Utilities Commissioners.

Kaplan, however, will not take part in the settlement discussion at Township Hall, slated to follow the tour of the grounds.

John Van Dalen, deputy attorney general representing the DEP, also said if the later meeting resulted in no settlement,

the discussions would not be made public when the hearing resumes at 10 a.m. tomorrow in the PUC offices.

Schwartz requested a 15-minute recess to meet with Van Dalen during yesterday morning's brief hearing. Following their discussion in the hallway, Schwartz introduced his six-month plan. Van Dalen, however, told Kaplan that the DEP would like to see garbage collection halted there within 30 days.

DEP ordered Kin-Buc July 29 to cease accepting chemicals and liquids at its 40-acre landfill, bordering the Raritan River at the end of Meadow Road. At that time, Kin-Buc was the only landfill allowed by the state regulatory agencies to accept waste chemicals for dumping.

The Middlesex County Board of Freeholders voted recently to join the DEP in seeking an injunction which would close Kin-Buc, asserting it had continued to accept chemicals in violation of its agreement with DEP.

Van Dalen said, however, DEP is seeking no injunction because the alleged chemicals had since been analyzed and were found to contain no organic compounds.

Marvin Mahan, chairman of the board at Kin-Buc, protested that the lime slurry in question never violated the agreement in that it was not placed on the landfill but next door as a soil conditioner for future planting planning on the grounds. He said the conditioner was recommended to Kin-Buc by Rutgers University.

## landfill

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Long-term public opposition to Kin-Buc was recently rekindled by some smoky fires on the grounds.

Local officials have since waged an unceasing battle to close the landfill and to bar state approvals being sought by Kin-Buc for a new landfill and a chemical waste treatment center to be located on an adjoining site in Edison.

The battle has drawn the support of the Board of Freeholders, the Edison mayor and council, planners and solid waste management personnel. It has also caused formation of a citizens' group in Edison, whose meetings have attracted crowds of more than 100.

The landfill has been named in U.S. Environmental Protection Agency reports as

a site where cancer-causing agents were found in the air at unacceptable levels. However, Schwartz has noted those tests were conducted when Kin-Buc was still landfilling chemicals which he said it no longer does.

Kin-Buc representatives contend the new, more sophisticated facilities would not pose health problems. Those plans have received preliminary approval from DEP.

Attorneys attending yesterday's hearing were Van Dalen, Schwartz, Miss Carla Bello, deputy attorney general for the PUC; Israel H. Saltman, assistant county counsel for Middlesex County, Roland Winter, Edison township attorney, Robert Corman, Department of the Public Advocate and Robert Schachter, representing J. Heller Construction Co. in Edison.

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